

REMARKS

Reconsideration of the present Application is respectfully requested. Applicant has amended the claims and the specification to improve their form and to place the Application in condition for allowance. Applicant respectfully submits that Applicant's amendments do not introduce new matter into the Application.

Applicant will address each of the Examiner's objections and comments in the Discussion that follows.

Discussion

Election/Restrictions

In the outstanding Office Action the Examiner has indicated that this application is in condition for allowance except for the presence of claims 20-24 directed to a non-elected invention. Applicant's election of Group 1 claims was made with traverse in the reply filed on September 10, 2008. The Examiner has further suggested that claims 20-24 will be allowable if claim 20 is amended to be dependent on claim 1. To address Restriction Requirement issues raised by the Examiner, Applicant has amended claim 20 such that claim 20 depends from claim 1, as reflected in the listing of claims. Applicant respectfully submits that with the amendment, Applicant has complied with the Examiner's restriction requirement without cancellation of such claims. Thus all presently pending claims define a single invention for prosecution purpose and are allowable.

Specification

The Examiner contends that the title of the present application is not descriptive and has suggested a new title for the invention. Applicant respectfully submits that the original title was and is descriptive. However, Applicant recognizes the Examiner's desire to focus on different aspects of the invention and has amended the title of the application to read as follows:

---Leak Detector Having a Self-Heated Control Circuit---

This new title, as amended, is clearly indicative of the invention, to which the claims are directed.

Claim Objections

The Examiner has raised formalities objections to claims 1, 10 and 17. The Examiner suggests that perhaps Applicant should insert --fluid—or --liquid or air—before “leak” in line 1 of claim 1 and before “leaks” in line 1 of claim 10 in order to clearly describe the invention. Applicant accepts the Examiner’s suggestions and has inserted “fluid” before “leak” in line 1 of claim 1 and before “leaks” in line 1 of claim 10. However, Applicant can not find the word either “leak” or “leaks” appearing in claim 17. As such, Applicant leaves claim 17 as it originally is. In addition to these two insertions, Applicant has also inserted “fluid” before “leak” or/and “leaks” appearing in all the claims of the present application, as reflected in the listing of claims.

Allowable Subject Matter

The Examiner states that claims 1-16 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant interprets this statement as meaning that these claims are objected to because claim 1 (from which claims 2-9 ultimately depend) and claim 10 (from which claims 11-16 ultimately depend) are objected due to the formalities objections. Applicant has addressed the formalities of claims 1 and 10, as suggested by the Examiner. Thus, Applicant respectfully submits claims 2-9 and 11-16 are in condition for allowance.

The Examiner has acknowledged that claims 17-19 are allowed.

Conclusion

Applicant respectfully submits the present Application is in condition for allowance which action is earnestly solicited.

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Respectfully submitted

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